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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,700	08/11/2003	Benjamin J. Olechnowicz	22188/06542	1699

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EXAMINER	
BOCHNA, DAVID	
ART UNIT	**PAPER NUMBER**
3679	

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/604,700	OLECHNOWICZ ET AL.	
	Examiner	Art Unit	
	David E. Bochna	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 April 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *21-24,26,27,29-36 and 38-43* is/are pending in the application.

4a) Of the above claim(s) *41-43* is/are withdrawn from consideration.

5)☒ Claim(s) *26,27,29-31,38 and 39* is/are allowed.

6)☒ Claim(s) *21-24,32-36 and 40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 21-24, 32-36 and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by Babuder 5,145,219.

In regard to claim 21, Babuder discloses (figs. 9-11(a coupling comprising:

first and second generally tubular members 112, 114 each having a sealing end face, a raised, annular sealing bead 124, 130, an inner bore, and a frictional surface 150 located radially outward of said sealing bead, said tubular members being generally coaxially arranged such that said sealing faces face each other; and

a sealing gasket 140 captured between said sealing beads for sealing said coupling, wherein said frictional surface 150 engages said sealing gasket 140 to prevent relative rotation between said tubular members; said sealing gasket having two respective sides, wherein said sealing gasket includes a sealing surface (beveled surfaces of 142 that contact the outer periphery of the bead) on each of said respective sides of said gasket, each of said sealing surfaces contacting one of said sealing beads of said tubular members and an anti-rotation surface on each of said respective sides of said gasket, each of said anti-rotation surfaces contacting one of said frictional surfaces of said tubular members, wherein each of said respective sealing surfaces and anti-rotation surfaces are co-planar upon prior to the coupling (the corner created by the beveled

side and the vertical side designated by the letter t in fig. 10 contacts both the bevel and the knurled surface) (Additionally, the respective sealing surfaces and anti-rotation surfaces are co-planar in fig. 9 in the plane of the page).

In regard to claim 22, wherein said frictional surface has raised protrusions (see col. 8, lines 23-25).

In regard to claim 23, wherein said raised protrusions 150 are formed by knurling.

In regard to claim 24, wherein said knurling 150 extends generally radially.

In regard to claim 32, Babuder discloses a gland for use in a coupling assembly, wherein said gland includes:

a sealing end face, a raised annular sealing bead 130 located on said sealing end face and an inner bore; and

a frictional surface 150 comprising a radially extending band located radially outward of said raised annular sealing bead; wherein said sealing bead and frictional surface are adapted to engage coplanar surfaces of a sealing gasket (the sealing surface and anti-rotation surfaces are co-planar in fig. 9 in the plane of the page).

In regard to claim 33, wherein said frictional surface has raised protrusions 150.

In regard to claim 34, wherein said raised protrusions 150 are formed by knurling.

In regard to claims 35 and 40, Babuder discloses a coupling comprising:

a first tubular member 120 and a second tubular member 128, each of said tubular member including a raised annular sealing bead 124, 130 and a frictional surface 150 located radially outward from said sealing bead 50; and

a gasket 142 of generally uniform thickness;

wherein said annular sealing beads 124, 130 contact respective sealing surfaces 142 of said gasket and said frictional surface 150 contacts respective anti-rotation surfaces of said gasket; and wherein said sealing surface 142 and said anti-rotation surface 142 are generally co-planar prior to coupling make-up (see fig. 10, where surface 142 contacts both the beads 124, 130 as well as the frictional surface 150. The inner radial edge of 142 contacts the slopped surface of the bead and the outer radial surface of 142 contacts 150).

In regard to claim 36, wherein said frictional surface is slightly recessed from said sealing beads (see fig. 10 where the sealing bead protrudes axially inward of the knurls 150).

Response to Arguments

3. Applicant's arguments with respect to claims 21-24, 32-36 and 40 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that Babuder does not disclose a gasket having sealing surfaces and anti-rotation surfaces that are coplanar prior to coupling make-up. The Examiner disagrees. Annular sealing beads 124, 130 contact respective sealing surfaces 142 of said gasket and said frictional surface 150 contacts respective anti-rotation surfaces 142 of said gasket; and wherein said sealing surface 142 and said anti-rotation surface 142 are generally co-planar prior to coupling make-up (see fig. 10). Surface 142 contacts both the beads 124, 130 as well as the frictional surface 150. The inner radial edge of 142 contacts the slopped surface of the bead and the outer radial surface of 142 contacts 150.

4. Applicant's arguments with respect to claim 35 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

5. Claims 26-27, 29-31 and 38-39 are allowed.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. Bochna
Primary Examiner
Art Unit 3679